

UNITED STATES DISTRICT COURT  
FOR THE  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA,	§	
Plaintiff	§	
	§	
v.	§	CIVIL ACTION NO.
	§	
\$25,725.00 IN U.S. CURRENCY	§	
Defendant in rem	§	

**VERIFIED COMPLAINT FOR FORFEITURE IN REM**

United States of America, Plaintiff, files this action for forfeiture against \$25,725.00 in U.S. currency and alleges the following in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure.

*Nature of the Action*

1. This is an action to forfeit Defendant in rem to the United States pursuant to 31 U.S.C. § 5317(c)(2).

*Defendant in Rem*

2. Defendant in rem is \$25,725.00 in U.S. currency that was seized from Carmen Josephine Ackerley on April 18, 2011, at the George Bush Intercontinental Airport in Houston, Texas.

*Jurisdiction and Venue*

3. This Court has jurisdiction pursuant to 28 U.S.C. §1355 because this is an action for forfeiture.

4. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1355 and 1395 (a) and (b) because:

- a. the acts or omissions giving rise to the forfeiture occurred in the Southern District of Texas;
- b. the property was found in the Southern District of Texas; and
- c. this forfeiture action accrued in the Southern District of Texas.

*Basis for Forfeiture*

5. The Defendant in rem is subject to forfeiture under 31 U.S.C. § 5317(c)(2). This section provides for the civil forfeiture of any property involved in violations of 31 U.S.C. §§ 5316 and 5324(c).

6. Under 31 U.S.C. § 5316(a)(1)(B), a person or an agent or bailee of the person shall file a report under subsection (b) of this section when the person, agent, or bailee knowingly transports, is about to transport, or has transported, monetary instruments of more than \$10,000 at one time to a place in the United States from or through a place outside the United States.

7. Under 31 U.S.C. § 5324(c)(1), no person shall, for the purpose of evading the reporting requirements of section 5316, fail to file a report required by

31 U.S.C. § 5316. Also under 31 U.S.C. § 5324(c)(2), no person shall, for the purpose of evading the reporting requirements of section 5316, file a report required by 31 U.S.C. § 5316 that contains a material omission or misstatement of fact.

*Facts*

8. On April 18, 2011, Carmen Josephine Ackerley arrived into the United States of America from Buenos Aires, Argentina aboard Continental Airlines flight #52 at George Bush Intercontinental Airport, Houston, Texas. While being processed through Customs, she presented to a U.S. Customs and Border Protection Officer (CBP Officer) a U.S. Customs Declaration form on which she stated that she was not carrying currency over \$10,000. She indicated that she was carrying \$8,000.00.

9. CBP Officers inspected Ms. Ackerley's carry on bag, checked luggage, purse and wallet. The officers found various sums of currency. In total the officers found \$25,725.00 in her possession that were concealed between pages of a photo album, between pages of a book, in a wallet and in a purse. These funds were seized for forfeiture.

*Relief Requested*

10. Plaintiff requests a) an arrest Warrants and summons, citing all persons

having an interest in the Defendant in rem to appear on the return day of process by filing a claim and answer pursuant to Rule G(5), Supplemental Rules for Certain Admiralty and Maritime Claims, or as ordered by this Court, b) a judgment of forfeiture, and c) costs and other relief to which the Plaintiff may be entitled.

Dated: May 26, 2011.

Respectfully submitted,

José Angel Moreno  
United States Attorney

By: /s/ Albert Ratliff  
Albert Ratliff  
Attorney-in-Charge  
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***VERIFICATION***

I, Minh Q. Tran, Special Agent, United States Immigration and Customs Enforcement, declare under penalty of perjury as provided by 28 U.S.C. §1746 that I have read this verified complaint for forfeiture in rem, and the facts stated in this complaint are true and correct to the best of my knowledge and belief.

Executed on May 26, 2011.

A handwritten signature in cursive script, appearing to read "Minh Q. Tran", is positioned above a horizontal line.

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Minh Q. Tran, Special Agent  
U. S. Immigration and Customs Enforcement